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PTO/SB/21 (09-04)

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<b>OPTIONAL TRANSMITTAL FORM</b> <b>SEP 28 2005</b> (to be used for all correspondence after initial filing) Patent & Trademark Office	Application Number	10/762,129
	Filing Date	01/20/2004
	First Named Inventor	David S. F. Young
	Art Unit	1616
	Examiner Name	
	Attorney Docket Number	2056.028
Total Number of Pages in This Submission	7	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	McHale & Slavin, P.A.		
Signature	<i>Ferris H. Lander</i>		
Printed name	Ferris H. Lander		
Date	9/26/2005	Reg. No.	43,377

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : David S. F. Young et al  
INVENTION: : CANCEROUS DISEASE MODIFYING ANTIBODIES  
SERIAL NUMBER : 10/762,129  
FILING DATE : January 20, 2004  
EXAMINER: :  
GROUP ART UNIT : 1616  
ATTORNEY DOCKET NO. : 2056.028



CERTIFICATE UNDER 37 CFR §1.8(a)  
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P. O. Box 1450  
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Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying forms PTO/SB/08A and PTO/SB/08B are hereby brought to the attention of the Examiner for independent evaluation. A copy of each of the foreign patent and non-patent literature documents are enclosed.

In accordance with 37 C.F.R. §1.97(e), Applicants hereby certify that each item of information contained in the accompanying Supplemental Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office, namely an International Search Report for a counterpart International patent application. A copy of the

International Search Report is also enclosed, which satisfies the requirement for a concise statement of relevancy pursuant to M.P.E.P. §609 (1995).

Applicants submit that the present invention is patentable over these references.

Accordingly, pursuant to 37 C.F.R. §1.97(e), Applicants request consideration and entry of the Supplemental Information Disclosure Statement.

Date: \_\_\_\_\_

9/26/2005

Respectfully submitted,

By: \_\_\_\_\_

Ferris H. Lander

Ferris H. Lander

Registration No. 43,377

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Substitute for form 1449/PTO

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SEP 28 2005

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	2
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Application Number	10/762,129
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Filing Date	01/20/2004
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First Named Inventor	David S. F. Young
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Art Unit	1616
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**Examiner Name**

Attorney Docket Number	2056.028
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## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						T <sup>6</sup>
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	
		WO03/086456	10/23/2003	Arius Research Inc		
		WO03/074568	09/12/2003	Arius Research Inc		
		WO03/055515	07/10/2003	Arius Research Inc		

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT***(Use as many sheets as necessary)***Complete if Known**

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>	<b>Application Number</b>		10/762,129		
	<b>Filing Date</b>		01/20/2004		
	<b>First Named Inventor</b>		David S. F. Young		
	<b>Art Unit</b>		1616		
	<b>Examiner Name</b>				
<b>Sheet</b>	2	<b>of</b>	2	<b>Attorney Docket Number</b>	2056.028

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		X. DUAN et al, "The development and characterization of anti-cancer therapeutic monoclonal antibodies", International Journal of Cancer Supplement, No. 13, page 444, XP008019619 (June 30, 2002)	
		H. ETO et al, "Mapping and regulation of the tumor-associated epitope recognized by monoclonal antibody RS-11", J. Biol. Chem., 275(35):27075-27083 (September, 2000)	

<b>Examiner Signature</b>		<b>Date Considered</b>	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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